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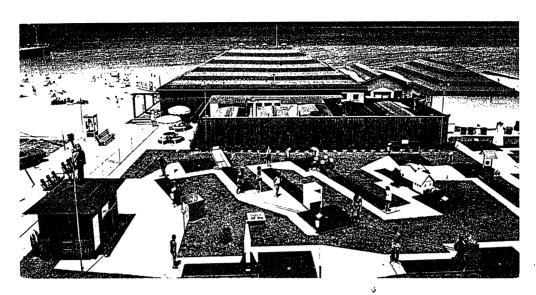
ZB# 70-10

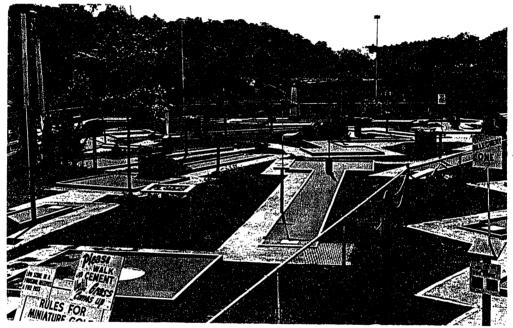
O. Alan Seaman

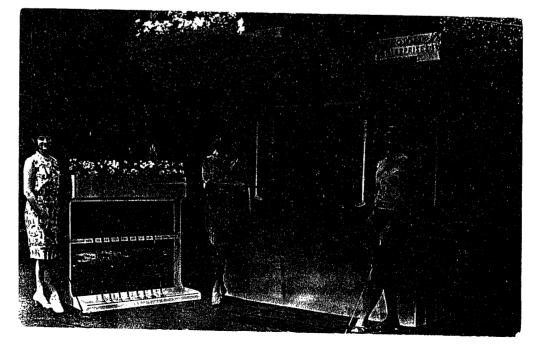
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PUBLIC NOTICE OF HEARING Before the Zoning Board of Appeals

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-334 of the Zoning Ordinance on the following proposition:

Appeal No. 10
Request of Henry L. Nielsen and
O. Alan Seaman for a variance
of the regulations of the zoning
ordinance, to permit a miniature
golf course, being a variance of
Article III, Section 48-9, for property
owned by Henry L. Nielsen and
leased by O. Alan Seaman by him
situated as follows southeast corner
of the intersection of Route 94 and
Old Temple Hill Road, Valls Gate,

SAID HEARING will take place on the 18th of May, 1970, at the Town Hall, 555 Union Avenue, beginning at 9 o'clock p.m. LOUISE A BUDNEY

May 8

ISE A BUDNEY Chairman

State of New York County of Orange, ss:

Subscribed and sworn to before me this

Theght, Selow

Notary Public of the State of New York, County of Orange.

MY COMMISSION EXPIRES MARCH 30, 19

the8th...... day of ...,......



AFFIDAVIT OF MAILING

IN THE MATTER OF THE APPLICATION:

of:

O. ALAN SEAMAN and
HENRY L. NIELSEN:

STATE OF NEW YORK;

county of orange;

PENELOPE VASSELL, being duly sworn, deposes and says that she is over 21 years of age; that on the 7th day of May, 1970, she served the within letter and public notice of hearing before the Zoning Board of Appeals upon Anthony and Rose Mangini by depositing a copy of same properly enclosed in a postpaid wrapper adressed at 319 58th Street, Brooklyn 20, New York, by certified mail, return receipt requested, with No. 130651, in the Postoffice in a mail box maintained by the United States Government in the City of Newburgh, Orange County, New York, that being the City wherein the parties reside; that the address to which said papers was directed was that designated by the Office of the Assessor of the Town of New Windsor, New York, as the place where papers might be served.

Penelufe Vassell

Sworn to before me this 18th day of May, 1970.

Notary Public, State of New York
Residing in Orange County
Commission Expires March 30, 19.1

RAYMOND H. BRADFORD

COUNSELLOR AT LAW
425 ROBINSON AT NORTH
NEWBURGH, NEW YORK 12550
(914 561-2727

May 7, 1970

Anthony and Rose Mangini 319 58th Street Brooklyn 20, New York

Re: Application of O. Alan Seaman & Henry L. Nielsen

My File No. 6405

Dear Sir and Madam:

Enclosed herewith is a notice of public hearing in the matter of the application of O. Alan Seaman before the Zoning Board of Appeals of the Town of New Windsor.

We are required to give you notice of the hearing pursuant to the Zoning Ordinance of the Town of New Windsor because you are listed as an owner of property within a 500 foot radius of the property in question for which the hearing will be held.

Very truly yours

Raymond H. Bradford

RHB/pv Encl.

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33(a) of the Zoning Ordinance on the following proposition:

Appeal No. 10

Request of Henry L. Nielsen and O. Alan Seaman for a variance of the zoning ordinance, to permit a miniature golf course, being a variance of Article 111, Section 48-9, for property owned by Henry L. Nielsen and leased by O. Alan Seaman situated as follows:

Southeast corner of the intersection of Route 94 and Old Temple Hill Road, Vails Gate, New York.

SAID HEARING will take place on the 18th of May, 1970, at the Town Hall, 555 Union Avenue, beginning at 9 o'clock P.M.

 Louise	Α.	Budney	
Chai	irma	an	



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

1

Chairman Ellsworth E. Weyant 23 Clinton Wood Drive New Windsor, New York 12550 (914) 561-5482

May 6, 1970

Henry L. Nielson F. O. Box 243 Warwick, New York

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the area you inquired about.

The charge for this service is \$15.00. Please remit same to me, making the check payable in my name.

Respectfully,

Ellsworth & Weyart, pt

Chairman

Board of Assessors Town of New Windsor

EEW/pt Enc.

OFFICE OF THE ASSESSOR



TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

RE: Request - Henry I. Nielson

✓ Marshall, Maria - Box 68 Vails Gate, New York 12584

Christopian, Frank

Box 202

Vails Gate, New York 12584

√ Sloan, Agnes M.

Vails Gate, New York 12584

V Fatterson, John T. and Co.
Vails Gate, New York 12584

Fanella, Emilio & Sylvia Dambrosio 410 Blooming Grove Turnpike New Windsor, New York 12550

Smith, George & Gatherine 38 Willow Lane New Windsor, New York 12550

Mangini, Anthony & Rose 319 58th Street Erooklyn, 20, New York Dlorah Estates, Inc.

c/o Harold Adams
Highland Ave.
Maybrook, New York

Solomon, Theodore H. 7CC Exec. Office Building kochester, New York 14614

Vails Gate Fire Company Vails Gate, New York 12584 Marshall, William & Blanche Vails Gate, New York 12584

Moniz, Antone & Anastazja Route 94 Vails Gate, New York 12584

Muller, William & Gloria Marshall Fark Vails Gate, New York 12584

Jubalee Enterprises Co., Inc. c/o Ben Harris
MD #26, Route 9W
New Windsor, New York 12550
Welch, Bichard D., Jr. & Margaret
6 Truex Drive
Vails Gate, New York 12584

Barbaro, Patsy & Matilda Box 589 Vails Gate, New York 12584 Lukacik, Robina G. Vails Gate, New York 12584

Highland-Quassaick Nat. Bank 381 Broadway Newburgh, New York 12550

City School Dist. of Newburgh 98 Grand Street Newburgh, New York 12550

Vails Gate Methodist Cemetery Vails Gate, New York 12584



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

RE: Henry L. Nielson

Sheet 2

Adams, Harold J. Highland Avenue Maybrook, New York

Olympia, Feter M. 16 Kussell Road Newburgh, New York 12550

Trevorah, Edward Box 32 Vails Gate, New York 12584 Grefe, Frank H. & Theresa M. Vails Gate, New York 12584

Weber, George A. & Olive B. Vails Gate, New York 12584

Respectfully submitted,

Ellsworth E. Weyant, pt

Ola a di sama an

Chairman

Board of Assessors Town of New Windsor

EEW/pt

24 Receipts exempt.

7 Franklin Avenue New Windsor, N. Y. 12550 May 26, 1970

Raymond H. Bradford, Esq. Counsellor at Law 425 Robinson At North Newburgh, N. Y. 12550

Re: Application for a Variance of O. Alan Seaman and Henry L. Nielsen - Your File No. 6405

Dear Mr. Bradford:

This is to inform you that at a meeting of the New Windsor Zoning Board of Appeals held on Monday, May 25, 1970, it was the decision of the Board to deny the above application for a variance.

Yours very truly,

Patricia Delio, Secretary

/pd

cc: Howard Collett, Building Inspector

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined 4/20	1970	Office of Buildi	ing Inspector IONES, Building I	nspector
Approved		Town Hall, 24	4 Union Avenue	1
Disapproved a/c 4/20	······	Newburgh, N.	Υ.	
Permit No.				
Refer —				
Planning Board	APPLICATION	FOR BUILDIN	G PERMIT	
Highway	n 37 37 1	0 0 11 6 1	1 T O !:	
Sewer	Pursuant to New York	State Building Code and	1 Town Ordinances	
Water		Data	4/17	1070
Zoning Board of Appeals		Date		, 19

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
 - d. The work covered by this application may not be commenced before the issuance of Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

(Signature of Applicant)

(Address of Applicant)

New Wandser, N. 1. 1253

Name of owner of premises: HENRY. If applicant is a corporation, signature of duly authorized officer. (Name and tittle of corporate officer) 1. Location of land on which proposed work will be done ADJACCAT TO HALLS CATCHING. 2. State existing use and occupancy of premises and intended use and occupancy of proposed construction: a Existing use and occupancy ADJACTA LOURSE 3. Nature of work (check which applicable): New Building Addition Alteration Repair Removal Demolition Fee (to be paid on filling this application) 5. If dwelling, number of dwelling units Number of dwelling units on each floor If garage, number of cars	
(Name and title of corporate officer) 1. Location of land on which proposed work will be done ADJACENT TO LANDS CATTOLICE TO LANDS 2. State existing use and occupancy of premises and intended use and occupancy of proposed construction: a Existing use and occupancy ALANT LANDS b. Intended use and occupancy MALAT WAS GOLF COURS 3. Nature of work (check which applicable): New Building Addition Alteration Repair Removal Demolition Fee (to be paid on filling this application) 4. Estimated cost* 7. One Fee (to be paid on filling this application) Number of dwelling units on each floor	
(Name and title of corporate officer) 1. Location of land on which proposed work will be done	
2. State existing use and occupancy of premises and intended use and occupancy of proposed construction: a Existing use and occupancy AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	
a Existing use and occupancy ALANT DRE GOLF HOURS = 3. Nature of work (check which applicable): New Building Addition Alteration Repair Removal Demolition Fee (to be paid on filing this application) 5. If dwelling, number of dwelling units Number of dwelling units on each floor	
Repair Removal Demolition	
4. Estimated cost*	
Demot	
6. If business, commercial or mixed occupancy, specify nature and extent of each type of use OFERATE MINIMATURE GOLF CONESE WITH PARKING AREA.	
7. Dimensions of existing structures, if any: Front	
Depth Height Number of Stories	
8. Dimensions of same structure with alterations or additions: Front	
Depth	
9. Dimensions of entire new construction: Front	

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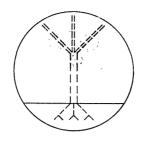
10.	Size of lot: Front 136.14 Rear 190.50 Depth 193.45 Front Yard
	Rear Yard Side Yard Is this a corner lot?
11.	Zone or use district in which premises are situated
	LOCAL BUSINESS
12.	Does proposed construction violate any zoning law, ordinance or regulation?
	NOT TO MY KNOWLEDGE
13.	Name of Compensation Insurance Carrier (2) 11 BE ALLSTATE
	Number of Policy
14.	Name of Owner of Premises HENRY 2 NIELSEN
	Address WARWICK N Phone No. 986-4112
	Name of Architect
	Address Phone No
	Name of Contractor
	Address Phone No.
15.	Will electrical work be inspected by, and a Certificate of Approval obtained from, the New York Board
	of Fire Underwriters or other agency or organization?
	If so, specify
16.	IMPORTANT: Do not pour footings until the location of building on lot, and soil has been inspected.
17.	Before a Certificate of Occupancy can be issued, a certified survey must be filed. (May be waived.)
18.	Walls not to be lathed until Department inspection is made.
19.	Defer backfilling until waterproofing of foundation is approved by Department.
*	-

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

SHOW PLOT PLAN ON NEXT PAGE



Peter Garrison, A.I.P., Commissioner Edwin J. Garling, A.I.P., Deputy Commissioner



The County Building Goshen, New York 10924 (914) 294-5151



Louis V. Mills, County Executive

May 15, 1970

Mrs. Louise Budney, Chairman

Town of New Windsor Zoning Board

of Appeals

Veronica Avenue

New Windsor, New York 12550

Re: Use variance - Miniature golf course

Dear Mrs. Budney:

We acknowledge receipt of the above and have made our review under the provisions of Sections 239 1 and m of the General Municipal Law. In our review, we noted the following:

- 1. The area, although zoned Local Business, contains a variety of non-local business uses such as a car wash, service station, and auto parts facility.
- 2. The highway oriented nature of these uses compete with the local convenience shopping concept of the LB-District, is disruptive of the highway frontage, and threatens traffic safety and the planned capacity of the highway.
- 3. The specific proposal would have the effect of further diluting the intended character of the District and use of abutting highways.

Considering the above and the fact that the site in question can be developed for any one of a number of uses permitted within the LB-District, we deny County approval.

In denying County approval we recognize that there may be a need for the Town to re-examine its Comprehensive Plan as regards commercial guidelines and patterns. Such a re-evaluation might well suggest the need for re-zoning of certain business areas to more appropriately accommodate the uses found within them and that

are required to serve the growing needs of the population. If approached in this way, the Town can avoid the spotty and unplanned developments that invariably result from the abuse and misuse of use variances.

We would be pleased to provide the Town with assistance in this matter.

Very truly yours,

Peter Garrison

Commissioner of Planning

PG:f

cc: Joseph Tallarico, Chairman

Town of New Windsor Planning Board

No. 70-10

TOWN OF NEW WINDSOR GRANGE COUNTY, N. Y. OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No	Date
TO O ALAN SEAMAN	
9 RECIMENTAL PLACE	
NEW WINDSOR, N.Y	
PLEASE TAKE NOTICE that your application dated	APRIL 17, 1970
for permit to BUILD + DRERATE MIN	HATURE GOLF COURSE
at the premises located atVAILSGATEA	D JACENT TO POST OFFICE
is returned herewith and disapproved on the following g MINIATURE GULF COURSE AN LOCAL BUSINESS DISTRI	IS NOT PERMITTED IN
°	turand a certa

	Agenda
. Name	O. ALAN SEAMAN
Adaress	Que de la Company de la Compan
	me dancer 562-6832
52m 501	the owner of the property: NO CHENRY L. NI
	r describe imbention (or attach) and location of
propert	M: MINIATURE GOLF CONRSE.
	ACTENT TO VAILS GATE POST OFFICE
010	FORGE HILL ROAD.
PERMITED	LB DISTRICT AllowED INGB 48-11(B) 2 NG BOARD
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	DATE
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	Interpretation of Ordinance or Map
	Variance (Notify P/B - Plans if necessar,
	Informational Meeting
	DATE
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. ,	Planning Board action needed
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	Tite Flag needed
	Subdivision approval needed
	Water, Sewer and Highway action needed
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	Agenda Service
	On ALAN SEAMAN
Address	9 REGIMENTAL PLACE, NEW WINDSOR
	Torioer 562-6832
are you th	ne owner of the property' No CHENRY L. NIE
Briefly de	escribe intention (or attach) and location of
	MINIATURE GOLF CONRSE.
	ENT TO VAILS GATE POST OFFICE
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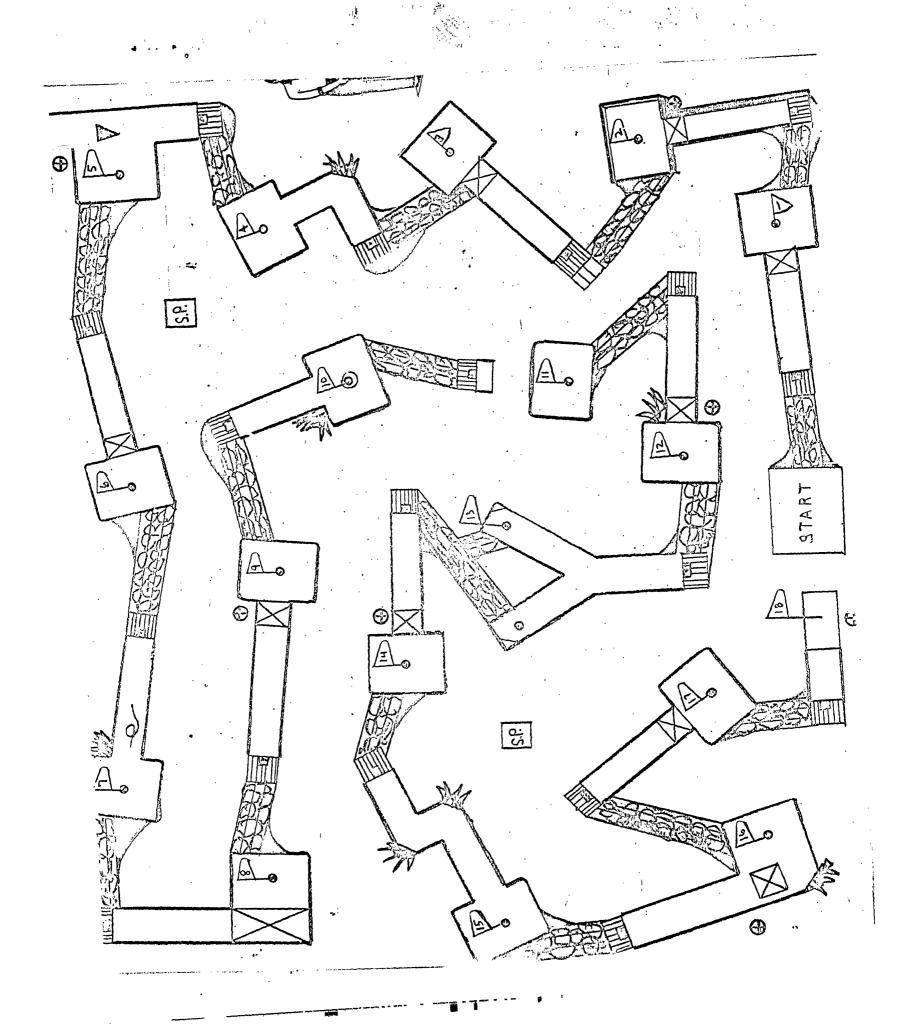
Man Seama

May 25, 1970 - 8 p.m. Public Hearing (Further) O. Glan Seaman & Henry L. Nielsen Spectators: Ciddress Mrs. Young Jeans 9 Kegimental II. W. W. South Started Atty Mubrigh My For the Seamon's Thomas & Limi Louraine Rd. Rock Tower N.y Mixmis John Barbaro Turax Devel Vails State, N.Y. Howard Preached - Athy Ovonne and O. Alon Somon Mr L. G. Ailinger 6 TRUEX DR VAILS GATE, N.Y.

Adopted 12/20/65

	is non	APPLICAT:	ON FOR VARIANC	E ication No	<u>70-10</u>	
TO	THE 2	CONING BOARD OF APPEALS				
We I XX ()	₩ 6 <\)	O. Alan Seaman and	of 9 Regime	ntal Place		
		Henry L. Nielsen, P. O.	(Street Box 250, Warw	& number) ick, N. Y.		
		New Windsor	New York		HEREBY MAKE	
APP	LICA		(State)			
Α.	700	aray an are pagentar Rt.	North Southeast corr 94 and Old Te	emple Hill Ro	oad LB	
√ B.	PROV	VISION OF THE PROPERTY (S VISION OF THE ZONING ORD: tion, sub-section and par number. Do not quote th	creet & number) INANCE APPLICAB rægraph of the	Use dis LE: (Indicat Zoning Ordin	e the article, ance applicable	Hep)
C.	NOT Boa	E: NECESSARY FINDINGS: 1 rd of Appeals must find:	Before any Vari all of the foll	ance is gran owng conditi	ited, the Zoning ons to be presen	nte
	10	Conditions and circumst structure or building a structures or buildings	nd do not apply	to the neigh	hboring lands,	1 500-
		is now empty but acros	the street is	s a car wash	and an auto	PI
		mobile parts building	is located acro	oss the road	and the state of the open substitution of Campa and the observation of	POR .
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		Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: there is a need for family recreational facilities.
		and at present there is no miniature golf course in the Town.
		Use will not affect intent of the ordinance.
	5.	Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: recreational oppurtunities in the town should
		be furthered.
D.		cribe in detail how the property is to be used and submit plans or stokes in duplicate.
	M	iniature golf course with parking area see plans attached.
	entractelighter	
	down controll.	
	er Stangerta	
E.	WIL	olication to be accompanied by a check, payable to the Town of New adsor in the amount decided by the Board. Application to be remed to: Secretary of the Zoning Bd. of Appeals.
F.	hee	FICE OF HEARING: Applicant agrees to send notice of any public tring via registered mail to all abutting land owners as required Section 9.4.1 of the Ordinance.
G.	an Ala	the property in question is located within a radius of 500 ft. of adjoining municipality, the Board should be notified. so, have your attorney check Sec. 239m of the General Municipal to see if it applies. If so, notify the Orange County Planning Bd.
Date		May 5, 1970
	_	Signature of Applicant
COU	YTK	of ORANGE) of ORANGE) of on this 4th day of MAY 1970 Address Address
		Address
		(Notary Public) JOHN G. STANTON Telephone No.
A		Condustion Depirer March 30.19 PAIS SPACE
		tion No. 70-10 Pate Received May 4 1970 Notice Published May 844 to May 20th 1970 May 20th 1970
DEC:		



Map of Lands of Henry L. Nielsen
Located at Vails Gate, Town of New Winds

Orange County, N.Y. Jaly 15, 1961 Rev. May 1966 Scale. 1 = 30 Ft. @x Cut in Stone Stone Fence Prop. Driveway School Dist. \$23 N630081E Set Back The Wide Prot - Driveway -(Old backion) x Cotinstone

